



Patent
45278.00004.UTL1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:
Jonathan S. Spiegel, et al.

Serial No.: 10/680,589

Filed: October 6, 2003

For: SYSTEMS AND METHODS FOR
SECURITIZING A COMMODITY

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) **Group Art Unit: TBA**
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) **Examiner: TBA**
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the following information is brought to the attention of the Examiner.

CERTIFICATE OF MAILING
(37 CFR §1.8 a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date of Delivery

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Ashley Clark
Name of Person Delivering Paper

Ashley Clark
Signature of Person Delivering Paper

REFERENCES

- ☒ The references are listed on the attached Form PTO/SB/08a and copies are enclosed for the convenience of the Examiner.
- ☐ Copies of the references listed on the attached Form PTO/SB/08a have already been submitted in corresponding Patent Application No. _____ and therefore, copies of the same are not enclosed.

The items identified in this Information Disclosure Statement may or may not be “material” pursuant to 37 CFR § 1.56 and the submission thereof by Applicant shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as “prior art” 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR § 1.56, exists.

DISCLOSURE

☒ The attached IDS is being filed in accordance with 37 CFR §§ 1.97 and 1.98. This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b)(3), that is before the mailing of a first Office Action on the merits. Thus, no petition or fee is required. However, if the undersigned representative of Applicant is in error in this regard, then the Examiner is requested to consider this IDS as filed under § 1.97(c)

☐ The attached Information Disclosure Statement is being filed in accordance with 37 CFR §§ 1.97(c) and 1.98. This IDS is being filed after an action on the merits but before a Final Action under § 1.113 or a Notice of Allowance under § 1.311. In the event that this IDS is not received before a Final Action under § 1.113 or a Notice of Allowance under § 1.311, the Applicant respectfully requests the filing of these papers to be considered a petition requesting consideration of this IDS pursuant to 37 CFR § 1.97(d).

☐ The attached Information Disclosure Statement is being filed in accordance with 37 CFR §§ 1.97(d) and 1.98. This IDS is being filed after receipt of a final action but before receipt of a Notice of Allowance Under § 1.311.

☐ I certify that pursuant to 37 CFR 1.97(e)(1), each item of information contained in this Information Disclosure Statement was first cited in any communication (International Search Report – copy enclosed) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ I certify that pursuant to 37 CFR 1.97(e)(2), no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best of my knowledge, no item of information contained in this Information Disclosure Statement was known to any individual more than three months prior to the filing of this Information Disclosure Statement.

PAYMENT METHOD

- ☐ Enclosed is a check to cover the fee pursuant to 37 CFR § 1.17(p).
- ☒ The Examiner is hereby authorized to charge any fee due with this filing to our Deposit Account No. **50-2613**.
- ☒ The Examiner is hereby authorized to charge any additional fee(s) required by this paper to our Deposit Account No. **50-2613**.

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY & WALKER

Dated: 1/21/04

By: 

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PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/680,589
				Filing Date	October 6, 2003
				First Named Inventor	Jonathan S. Spirgel, et al
				Group Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	2	Attorney Docket Number	45278.00004

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
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	AA	Calandra, Thom, <u>New Fund Will Revolutionize Bullion Ownership</u> . CBS.MarketWatch.com	
	AB	Calandra, Thom, <u>Calandra on Gold</u> . CBS.MarketWatch.com	
	AC	Calandra, Thom, <u>New NYSE "Paper Gold" Will Spark Investment Demand</u> . CBS.MarketWatch.com	
	AD	Central Gold-Trust IPO Prospectus. June 25, 2003	
	AE	EQUITY GOLD TRUST Form S-1, May 13, 2003	

Examiner Signature	SAN/81384.1	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation is not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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		Group Art Unit	To Be Assigned		
		Examiner Name	To Be Assigned		
Sheet		of		Attorney Docket Number	45278.00004

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AF	IndexFunds.com Staff, <u>Gold ETF To Test Retail Investor Demand</u> . June 11, 2003	
	AG	kitco.com. re The World Gold Council. http://www.kitco.com/ind/Appel/jun262003.html	
	AH	Pandya, Kiran, <u>Companies Find New Shine to Gold Glitter</u> . web.mid-day.com/news/business/2003/july/58479.htm . July 14, 2003	
	AI	Pisani, Bob, <u>Coming Soon: Buy Gold Like a Stock</u> . http://moneycentral.msn.com/content/CNBCTV/Articles/TV Reports/P50438.asp	
	AJ	Radhakrishnan, Sankar, <u>WGC To Unveil New Ad Campaign</u>	
	AK	<u>The Gold Equity Share: An Idea Whose Time Has Come</u>	

Examiner Signature	SAN/81384.1	Date Considered	
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No fee is believed due with this submission; however, the Commissioner is authorized to charge any fee required, or to credit any overpayment, to our Deposit Account No. 50-2613.

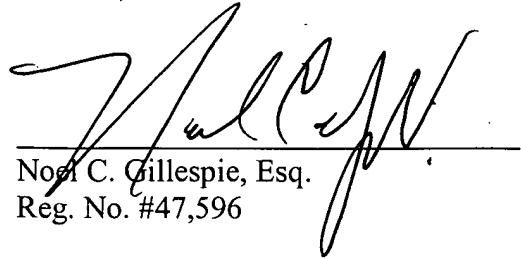
Respectfully submitted,

PAUL, HASTINGS, JANOFSKY & WALKER LLP

Dated: _____

1/21/09

By: _____


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Reg. No. #47,596

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